

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
MIDLAND-ODESSA DIVISION

CLINTON LEE YOUNG ) MO-07-CV-00002  
VS. ) HEARING BEFORE THE COURT  
NATHANIEL A. QUARTERMAN ) January 24, 2008

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BEFORE THE HONORABLE ROBERT JUNELL  
UNITED STATES DISTRICT JUDGE  
In Midland, Texas  
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FOR THE GOVERNMENT: MR. STEPHEN HOFFMAN  
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1 THE COURT: All right. Would the clerk  
2 call the case, please?

3 THE CLERK: Court calls MO-07-CV-00002,  
4 Clinton Lee Young versus Nathaniel A. Quarterman.

00:00

5 THE COURT: Who is here for the State of  
6 Texas?

7 MR. HOFFMAN: Stephen Hoffman for the  
8 respondent.

00:00

9 THE COURT: All right. And who is here  
10 for Mr. Quarterman?

11 MR. WALL: J.K. Wall.

12 THE COURT: I'm sorry, not for Quarterman.  
13 For Mr. Young. Who is here for Mr. Young?

14 MR. WALL: Rusty Wall.

00:00

15 MR. WHITE: J.K. Wall and Mr. Ori T.  
16 White.

17 THE COURT: All right. Mr. Young, would  
18 you stand up for just a second, please? Are you  
19 Mr. Young? Are you Mr. Clinton Lee Young?

00:00

20 THE DEFENDANT: Yes, sir.

21 THE COURT: All right. And I received a  
22 letter from you and that's the reason we're having this  
23 hearing is that on November 20th, 2007, that's the date  
24 that your letter was dated, and I'm sure I got it within  
25 a reasonable time after it was sent, and I sent a copy

00:00

1 to Mr. Wall and Mr. White, and I sent a copy also to  
2 Mr. Hoffman and the State of Texas.

3 And you said you are writing me as  
4 concerns associated with your appeal and lawyers in this  
00:01 5 case. This is Mr. White, Mr. Wall. You have tried  
6 numerous times to get these lawyers to pull and  
7 investigate all your claims. There are -- I'm going to  
8 clean your grammar up just a little bit.

9 There are numerous people that have not  
00:01 10 been spoken to concerning your TYC records and other  
11 portions of your case. In addition to this, there are  
12 portions of your case that have never been investigated,  
13 which you have also tried to get your lawyers to look  
14 into, as once done will provide evidence it is critical  
00:01 15 to help prove you did not commit capital murder. They  
16 have failed to exhaust all means available to them.  
17 This is only harming -- and you said this is only  
18 harming me.

19 While I speak on this matter to my  
00:01 20 lawyers, JK Rusty Wall said, oh, there is sloppy police  
21 work every day in America. Your Honor, my case has not  
22 even been fully investigated yet. I do not want to go  
23 into much detail, but there is part of my case that has  
24 not been looked into by the police. Once looked into it  
00:02 25 is evidence critical to show that the co-defendants lied

1 and I was wrongfully convicted. As a result of my  
2 lawyer's failure to properly communicate with me, I have  
3 looked into getting additional lawyers on the case. I  
4 have part in other words with the law firm of --  
00:02 5 pronounce that first word.

6 THE DEFENDANT: I think it was Debevoise.

7 THE COURT: D-E-B-E-V-O-I-S-E is how you  
8 spell it, in Plimpton has agreed to look into my case  
9 pro bono, so I'm writing this Court to ask that the  
00:02 10 Court instruct Ori T. White and J.K. Rusty Wall not to  
11 file my supplemental writ or innocence claims. That I  
12 have failed to attempt to properly research my claims.  
13 I as well as -- I as well have other inmates that Lisa  
14 Milstein, M-I-L-S-T-E-I-N, had worked on their case. I  
00:03 15 have informed my lawyers of this, yet they have failed  
16 to look into this matter.

17 Lisa Milstein has filed false affidavits  
18 in their cause. One inmate, who has since been  
19 executed, was willing to give an affidavit that Lisa  
00:03 20 Milstein has stole \$3,000 from him and his mother.

21 Other inmates have filed Lisa Milstein's  
22 been high on crack cocaine and filing false affidavits  
23 in their case. So it is widely known that she was  
24 mentally unstable and a drug user. All the inmates have  
00:03 25 agreed to give affidavits and make available the

1 documents that prove their claims to be true. Who is  
2 Lisa Milstein? I don't know who she is.

3 THE DEFENDANT: She was the investigator  
4 on my State Writ of Habeas Corpus. And if I could  
00:03 5 expound real quick is that she had smoked crack with my  
6 brother, who was a witness in the case and filed all  
7 affidavits, basically false lies. She just fabricated  
8 them and had people sign them and she changed them up.  
9 And the reason why I mentioned her is because Gary  
00:03 10 Taylor in an affidavit to the Court said that he had no  
11 knowledge of Lisa ever conducting a -- Ms. Milstein ever  
12 conducting an investigation like that.

13 And that's false because a client whose  
14 case he had a year before mine, his parents -- she filed  
00:04 15 false affidavits in that case saying his family said  
16 things that they didn't say. And he also -- she came to  
17 see him high and he canceled a visit and wrote Gary and  
18 told him, the chick was on crack when she came to see  
19 me.

00:04 20 THE COURT: Okay.

21 THE DEFENDANT: So he already -- he knew  
22 well, two or three years before that, he signed that  
23 deposition or declaration on my case saying that he  
24 didn't know that she had done that before. He knew very  
00:04 25 well that she had done that stuff before.

1 THE COURT: Is she working on the habeas  
2 before this Court?

3 THE DEFENDANT: No, she worked on my State  
4 habeas.

00:04

5 THE COURT: Okay. All right. You went on  
6 and said -- I'm not reading this verbatim, but I'm kind  
7 of skipping from place to place.

00:04

8 So I feel that since none of this has been  
9 looked into, as well as additional other critical  
10 matters in my case that the lawyer file my innocent  
11 claims or supplemental writ would do me more harm. I  
12 have contacted a lawyer with the ACLU about helping me  
13 to file a lawsuit on the lawyers R.T. White and  
14 J.K. Rusty Wall, if they file the supplemental writ or  
15 innocent claim in my case without properly investigating  
16 my case and claims, as well as without my permission or  
17 approval.

00:05

00:05

18 I understand at this time these lawyers  
19 are still on my case, so will have to go forward with  
20 filing the Federal writ in this case. I do not at this  
21 time know which lawyers from the Debevoise and Plimpton  
22 will be on my case. They are attempting to get a legal  
23 phone call or visit set up to finalize matters. I'm  
24 sure they will contact this Court. I, as well, oppose  
25 J.K. Rusty Wall filing anything on my case or being any

00:05

1 way a part of my appeal. R.T. White should remain as  
2 the head lawyer on my appeal. I understand J.K. Rusty  
3 Wall was put in place by this Court and this would be  
4 the one to file my Federal writ as long as he is on my  
00:05 5 case. I am stating my objection to him period, so that  
6 the Court may note it when he does not properly file my  
7 claims.

8 I thank you for your time and attention to  
9 this matter. I leave as I came, Respectfully, Clint  
00:05 10 Young.

11 Now, what do you want me to do? What is  
12 it you are asking the Court to do?

13 THE DEFENDANT: Well, the problem, Your  
14 Honor, I will speak on Debevoise first. The Debevoise,  
00:06 15 they thought that was still in State Court, Debevoise  
16 and Plimpton law firm. And their thing was they need at  
17 least a year to file the appeal and they wasn't  
18 contacted until about a month before that, that paper I  
19 filed that paper with you.

00:06 20 But my whole problem is, there's a lot of  
21 parts of my case that ain't been properly investigated.  
22 The ballistics of my case, I have not had one ballistic  
23 report come back on the first murder saying I couldn't  
24 done it. I am trying to get ballistics of the second  
00:06 25 murder. I will say it'll easily show I didn't do that.

1 THE COURT: What do you want me to do?

2 THE DEFENDANT: I mean, I'm not a lawyer,  
3 I mean --

00:06

4 THE COURT: I understand that. Do you  
5 want new counsel besides Mr. Wall and Mr. White?

00:06

6 THE DEFENDANT: Well, that's what I want,  
7 because I can't seem to get them to do what I need to  
8 get done. That's the whole thing. Ever since I know --  
9 I know in part be fair to them that Gary Taylor pretty  
10 much really limited you know what they could do in  
11 Federal Court because Lisa Milstein's actions on my  
12 State writ. But I was wanting to get different counsel  
13 because I can't seem to get the counsel I have now to do  
14 what I need to do. I mean, excuse me, do what I need to  
15 get done.

00:07

16 THE COURT: Are you asking the Court,  
17 then, to appoint different counsel than Mr. Wall and  
18 Mr. White?

00:07

19 THE DEFENDANT: Sir, something or to some  
20 state form or fashion get them to look into the claims  
21 that I made. Because everything I say, I can -- all my  
22 pro se claims that I filed with the Court for my TYC  
23 records and everything, I filed one of my pro se claims  
24 was on Jaclyn Timmons, TYC guard, stated I hit her. She  
25 said under oath that the summary of the incident report

00:07



1 that's contained in TYC records is just a summary. So  
2 it doesn't say that I hit her, but in her actual report  
3 she said she wrote that I hit her. I got her actual  
4 report. It don't say nowhere that I hit her. She  
00:08 5 committed perjury against me because I had a lot of  
6 problems in TYC.

7 That's another example. They had this,  
8 the D.A.'s office, they got the report because I got the  
9 report from the D.A.'s file when I got a copy of their  
00:08 10 file.

11 THE COURT: Today we are not deciding all  
12 of these issues.

13 THE DEFENDANT: Oh, I mean, that's an  
14 example. All this stuff I have been trying to put  
00:08 15 before them and get filed and get done, I can't get  
16 done. And these lawyers seem to not want to do it for  
17 whatever reason, I don't know.

18 THE COURT: Okay. Why don't you have a  
19 seat and let me ask Mr. Wall and Mr. White, do you -- do  
00:08 20 you suggest that the Court appoint different counsel in  
21 this case? Is there a conflict now between you and your  
22 client, Mr. Wall?

23 MR. WALL: Well, Your Honor, relations you  
24 can tell are not the best. We try our very best. I  
00:08 25 think Mr. Young is under the impression that he has

1 hybrid counsel. And unfortunately, in my judgment, he  
2 does not. We certainly are willing to try to work for  
3 him to save his life. We have, so far, met all the  
4 Court's deadlines and intend to meet the other  
00:09 5 requirements of the order of appointment and, indeed,  
6 beyond if we are required to go beyond, Your Honor.

7 We have not asked to be relieved, but if  
8 the Court were concerned that there is some tension and  
9 some difficulty and some disagreement between ourselves  
00:09 10 and Mr. Young, that is true, Your Honor. I respectfully  
11 submit to the Court that whomever is counsel might be  
12 there would be some difference of opinion because,  
13 again, Mr. Young's view of our representation and who  
14 has to make the hard decisions in this is very different  
00:09 15 than what we think the realities are.

16 THE COURT: Well, when I get a letter from  
17 somebody saying that they are contacting someone to sue  
18 you, that indicates there's some issues there.  
19 Mr. White, would you like to address this at all?

00:09 20 MR. WHITE: Yes, Your Honor. One of the  
21 problems in the -- in this case was that -- and this  
22 goes back to Lisa Milstein. Lisa Milstein found what  
23 Gary Taylor believed to be a very good, clear, lucid  
24 Wiggins claim that possibly could have granted relief to  
00:10 25 our client, Clinton Young. And almost -- well, the

1 majority of the focus of this State writ was along those  
2 lines of the Wiggins claim, which would have given him  
3 possibly a new trial of punishment.

4           After that was filed, that 1107.1 bar hit  
00:10 5 and it precludes a bunch of additional claims being  
6 added without it possibly having to go through all those  
7 hoops to see was the evidence available and all the  
8 items included in 1107.1. What we've done and what -- I  
9 appreciate Clinton, he was very good about corresponding  
00:10 10 with Judge Hyde as well, and all of those unadjudicated  
11 claims, Rusty and I put in the Federal writ, since it's  
12 apparent that he does want to have -- file a subsequent  
13 writ and what the Court could do and we are assuming  
14 that some other lawyer is going to come and do the  
00:11 15 supplemental writ, and to try to address those  
16 unadjudicated claims.

17           I think Mr. Wall and I were -- we went  
18 down in October to the death row and visited with him  
19 and we discussed the items that we were going to raise  
00:11 20 in the Federal writ. And our purpose in placing these  
21 unadjudicated claims in this writ was so that if  
22 subsequent counsel wanted to bring them up, they would  
23 have that opportunity and not be totally gone.

24           THE COURT: Mr. White, did you and  
00:11 25 Mr. Wall have a chance to visit with Mr. Young today at

1 all? Have y'all had a chance to visit?

2 MR. WHITE: We did not today, Your Honor.

3 THE COURT: All right. Would Mr. Young,  
4 would you like an opportunity here for a few minutes to  
00:12 5 visit with Mr. Wall and Mr. White at all while we're  
6 here, just take a break here for a second?

7 THE DEFENDANT: That's all right. That's  
8 all right. I mean, it's not personal, but I guess you  
9 would say it's a client/attorney problem, right?

00:12 10 THE COURT: Okay. Well, it's a very  
11 important -- I mean, it is.

12 THE DEFENDANT: That's the thing, Your  
13 Honor --

14 THE COURT: Stand up when you talk to me.  
00:12 15 Stand up.

16 THE DEFENDANT: The thing is, maybe it's  
17 this. I just can't fully grasp the ADPA standards or  
18 something. I don't know. I read them several times,  
19 but -- and all the Court rulings that come out. But my  
00:12 20 thing is that none of the ballistics, that's what our  
21 main argument was over was the forensics in the case.  
22 All I had was the dude who was the codefendant done the  
23 crime sat at my trial and say I'm the one that done it.  
24 But the gloves that he had on, I tried to get the gloves  
00:12 25 tested that shows he lied about the gloves. I show that

1 the ballistics of it how far away. He said I was ten  
2 feet away. The victim was shot within six inches. All  
3 the forensics show I couldn't have done it and I haven't  
4 been able to get the ballistics test. I can't pay for  
00:13 5 it as indigent, but I have friends that say they would  
6 pay for it and that's really what the main conflict is.  
7 I can't get none of the stuff that help show that I  
8 ain't the one that done the crime.

9 THE COURT: As I recall Mr. Cantacuzene,  
00:13 10 did he represent you on --

11 THE DEFENDANT: Ian Cantacuzene and Paul  
12 Williams.

13 THE COURT: Mr. White, where are we on  
14 this issue? I think the decision I need to make today  
00:13 15 is whether I can continue you and Mr. Wall on the case  
16 or do I appoint counsel? What's your -- what do you  
17 think? What do you -- you think that --

18 MR. WHITE: Judge, I think you should do  
19 whatever Clinton wants you to do, Judge. He is facing  
00:13 20 the death penalty. If he is uncomfortable with counsel,  
21 if he wants to keep us, we are -- Rusty and I are happy  
22 to serve. There is a history of challenging  
23 communications between Clinton and some of his other  
24 lawyers as well.

00:14 25 We understand that he's facing the death

1 penalty, Your Honor. And we will serve if it please the  
2 Court, but if you feel otherwise, Judge, you're not  
3 going to hurt our feelings. It's just up to you, Judge.

4 A big question in our mind was -- and we  
00:14 5 did not think that those unadjudicated claims on the  
6 ballistics and those items of -- it would require the  
7 filing of the subsequent writ, Judge. And he does have  
8 what I believe to be legitimate complaints that should  
9 have been raised by Gary Taylor in the original writ.

00:14 10 And I'm not faulting Gary Taylor. I think he was so  
11 excited about this Wiggins claim that that was his main  
12 focus, Judge.

13 THE COURT: Okay. What does the State of  
14 Texas think?

00:15 15 MR. HOFFMAN: Well, Your Honor, as a  
16 matter of policy, my office doesn't get involved in  
17 disputes between petitioners and their attorneys.  
18 Mr. Wall and Mr. White seem like competent attorneys to  
19 me, but if the Court feels it necessary to provide new  
00:15 20 counsel because of the breakdown in communication, we  
21 would have no objection to that.

22 However, I would note that the statute of  
23 limitations period has already passed, which means that  
24 Mr. Young is pretty much stuck with the claims that his  
00:15 25 attorneys raised in this petition, and even if he does

1 get new counsel, he won't be able to raise new claims at  
2 this juncture.

3 THE COURT: Well, he can -- you know, he  
4 can raise them and a question as to whether or not  
00:15 5 they're allowed by the Court or not is -- you are  
6 correct that there is an issue there.

7 Mr. Young, do you have any thoughts about  
8 who might be -- who might be counsel that -- because I  
9 haven't -- I'm not familiar with everyone that's -- This  
00:16 10 is specialized work that does this work. Do you have  
11 any suggestions?

12 THE DEFENDANT: Locally, no, because after  
13 the CCA -- CCA came out with some new guidelines because  
14 of the writ attorneys that knocked away a bunch of the  
00:16 15 writ attorneys. I don't know who the attorneys listed  
16 are. But you said -- asked me a minute ago if I could  
17 have a couple of minutes to talk to them.

18 THE COURT: If you would like a chance.

19 THE DEFENDANT: Yes, sir, I would like a  
00:16 20 chance.

21 THE COURT: Let's take a recess just a  
22 second. Y'all visit right there at the desk. I'm not  
23 going to require you -- everyone take your seats. And  
24 Mr. Wall and Mr. White, y'all visit with Mr. Young. And  
00:17 25 I want to thank the correctional officers from TDCJ very

1 much for getting Mr. Young up here. I know it's a long  
2 haul and I don't call these hearing on frivolous  
3 matters, so I appreciate you guys bringing Mr. Young up  
4 here.

00:17

5 Everybody keep your seats and y'all can  
6 visit and we will take a quick recess. And let me know  
7 when you are done.

8 (Break taken from 3:49 p.m. to 4:20 p.m.)

00:47

9 THE COURT: It's 4:20 and we're back in  
10 the courtroom and Mr. Hoffman is here, Mr. Wall,  
11 Mr. White, Mr. Young, we're all present. Y'all visit  
12 with one another? What do you want to do, Mr. White?

00:47

13 MR. WHITE: We did, Your Honor. Our  
14 client would like the -- whichever lawyer represented  
15 Randy Halprin and Gregory Wright. And you want to stand  
16 up and tell the Judge that?

00:47

17 THE DEFENDANT: All right. I had the -- I  
18 thought I had it with me, but I left it in my cell  
19 because I wasn't really -- they didn't tell me until the  
20 last minute I was coming up here, on the other lawyers  
21 just in case the situation came up. I guess I have to  
22 ask the Court if they would let me write them.

23 THE COURT: Do you know where the lawyer  
24 is from?

00:47

25 THE DEFENDANT: Dallas, Texas. They



1 represented Randy Halprin, one of the Texas 7 and they  
2 represented Gregory Wright. Barry Wright's case came  
3 out of the Supreme Court. So --

00:47 4 THE COURT: I have a list of all of the  
5 lawyers that have been approved --

6 THE DEFENDANT: I can't --

7 THE COURT: 11.017 appointments and  
8 there's not a Dallas lawyer on here. This is not --  
9 how -- Mr. White, you or Mr. Wall, both of y'all are on  
00:48 10 the list, about how many lawyers are qualified? Would  
11 it be about 20 or 25 or 30 lawyers statewide? Does that  
12 sound about right?

13 MR. WHITE: About 55, Judge, I believe.

14 THE COURT: I may not have a full list,  
00:48 15 then.

16 THE DEFENDANT: I know these lawyers  
17 because they just got a -- like I say, they represent  
18 Randy Halprin in the State or -- or State writ  
19 proceedings. They represented Gregory Wright in his  
00:48 20 Federal proceedings as well in the Fifth Circuit and  
21 before the Supreme Court. I just didn't have the --

22 MR. WHITE: Judge, I believe that  
23 Mr. Hoffman could probably call his office and find out  
24 which law firm, the lawyer that has represented Randy  
00:49 25 Halprin or Gregory Wright. Didn't you reckon you could

1 do that?

2 MR. HOFFMAN: I could, possibly.

3 THE COURT: Why don't we just -- that's  
4 all right. We could -- what's the correctional  
00:49 5 officers, what's your plan for Mr. Young as far as --  
6 when will y'all be going back?

7 CORRECTIONAL OFFICER: At the Court's  
8 discretion. We are here until this is finished.

9 THE COURT: Well, I'm just trying to get  
00:49 10 an idea, it's probably late in the day today. I don't  
11 know if y'all are going to spend the night tonight and  
12 then to back tomorrow.

13 CORRECTIONAL OFFICER: We are.

14 THE COURT: Why don't you get me the name,  
00:49 15 Mr. Young, and I have been getting correspondence from  
16 you, so I expect I'm getting it on a regular basis.

17 THE DEFENDANT: They only let me bring a  
18 basic bare minimum of property with me from death row to  
19 Midland County jail.

00:49 20 THE COURT: Okay.

21 THE DEFENDANT: I'm just a holdover on the  
22 Midland County jail so the property that has the names  
23 in it is back on the Polunsky unit.

24 THE COURT: But they are going to take you  
00:49 25 back to Polunsky.

1 THE DEFENDANT: Yeah I could write Monday.

2 THE COURT: Yeah, just write me next week.

3 I mean, I don't think there is anything that's happening  
4 between now and a week to ten days, is there,

00:50

5 Mr. Hoffman?

6 MR. HOFFMAN: No, sir, my response isn't  
7 due for another month.

8 THE COURT: I will give you 14 days to --

9 THE DEFENDANT: Sure.

00:50

10 THE COURT: -- get me those names and I  
11 will check them out and I may end up calling them and  
12 seeing if they are willing to or have Ms. Marroquin, my  
13 clerk, call them and see if they are willing to take the  
14 appointment.

00:50

15 And I want you to know, this in no way  
16 reflects upon the professionalism of Mr. Wall and  
17 Mr. White. I -- they are fine lawyers and they have  
18 dealt -- have been in my court both here in Pecos and  
19 they are outstanding lawyers.

00:50

20 Sometimes I know as a lawyer, I got fired  
21 and I fired a few clients sometimes, too. So it works  
22 both ways. And so sometimes it's just -- I just want to  
23 make sure -- this is so important that you have

00:51

24 confidence in who you are using, and I think Mr. Wall  
25 and Mr. White probably have been giving you very good

1 advice. Sometimes I had clients that didn't like the  
2 advice I gave them and sometimes they just needed to get  
3 somebody else so that, you know, they might could have  
4 confidence in what they are doing, Mr. Young.

00:51

5 And so I'm going to -- I'm going to  
6 appoint new counsel for you and I will give you 14 days  
7 to get me those names and I will try to appoint those  
8 gentlemen or ladies.

00:51

9 THE DEFENDANT: Can I say one thing, Your  
10 Honor?

11 THE COURT: Yes, sir.

00:51

12 THE DEFENDANT: The thing, it wasn't the  
13 matter of the individuals being -- I wasn't never  
14 insinuating they wasn't competent or anything or that it  
15 was personal. I guess you could call it professional  
16 conflict. I feel it reached the degree that, you know,  
17 urgency for myself. That's why I wrote the Court.

00:51

18 THE COURT: That's the reason we had this  
19 hearing and that's the reason I'm going to appoint you  
20 new counsel. I'm going to ask Mr. Wall and Mr. White to  
21 make available to new counsel whatever discovery you  
22 have so we don't have to replicate all of that over  
23 again, so that y'all -- and I know you will.

00:52

24 But I just ask you to do that and so  
25 Ms. Marroquin, if we will do an order that gives

1 Mr. Young 14 days to get to me the names of those  
2 lawyers and then see if -- and I will check to make sure  
3 they are qualified to handle death penalty cases and  
4 we'll go from there.

00:52

5 Mr. Hoffman, can you think of anything  
6 else we need to do today on this matter?

7 MR. HOFFMAN: I would just inquire if the  
8 previous scheduling order will remain in effect?

00:52

9 THE COURT: Well, let's get the new  
10 lawyers in place and I will let them contact you and  
11 y'all discuss it and see if we can agree. Obviously, if  
12 they are coming on board, I don't know, are there some  
13 dates coming up in a hurry on the scheduling order.

00:52

14 MR. HOFFMAN: I believe it will be another  
15 month or two before my response is due.

00:53

16 THE COURT: Let's get the new lawyers in  
17 place and I will let them -- if y'all will confer and if  
18 you need some change or if they need some change in the  
19 scheduling order, we'll -- I will certainly re-look at  
20 that again.

21 MR. HOFFMAN: Thank you, Your Honor.

22 THE COURT: Mr. Wall, anything that you  
23 would like to add?

00:53

24 MR. WALL: I don't think anything needs to  
25 be added, Judge Junell. Thank you.

1 THE COURT: Mr. White, anything else?

2 MR. WHITE: Nothing else.

3 THE COURT: Mr. Young anything else?

4 THE DEFENDANT: No, sir.

00:53

5 THE COURT: All right. Well, you are  
6 remanded back to the custody of the Texas Department of  
7 Criminal Justice.

8 This hearing is adjourned and this Court  
9 will be adjourned until tomorrow morning at 9:00 a.m.

00:53

10 Thanks very much.

11 THE BAILIFF: All rise.

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25

1 THE STATE OF TEXAS )

2 COUNTY OF MIDLAND )

3 I, Jane McGill, Certified Shorthand Reporter  
4 Number 1759 for The State of Texas, do hereby certify  
5 that the facts stated by me in the caption hereof are  
6 true, and that the said witness did make the above and  
7 foregoing answers in response to questions propounded as  
8 shown, and that I did, in computerized stenotype  
9 shorthand, report said proceedings and that the above  
10 and foregoing pages contain a full, true and correct  
11 computer-assisted transcription of my computerized  
12 stenotype shorthand notes taken on said occasion.

13 I further certify that I am neither counsel  
14 for, related to, nor employed by any of the parties or  
15 attorneys in the action in which this proceeding was  
16 taken, and further that I am not financially or  
17 otherwise interested in the outcome of the action.

18 Witness my hand this 29th day of July,  
19 2008.

20  
21  
22 /s/ Jane McGill  
Jane McGill, Texas CSR No. 1759  
23 NM CSR No. 125, Expires 12/31/08  
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